

Application S/N 10/722,866
Amendment Dated: March 16, 2006
Response to Office Action dated: October 20, 2005

CE11826JME

REMARKS/ARGUMENTS

Claims 1-4 and 7-22 are pending in the application, as claims 5 and 6 have been canceled without prejudice. In the Office Action, claim 20 was objected to in view of an informality. Claim 20 has been amended to overcome the objection. In addition, claims 1-22 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,009,336 to Harris, et al. (Harris).

A brief summary of the Harris reference may be helpful here. Harris describes a communication device that includes two housings, each containing circuitry for operating the device in different modes (see Abstract). The communication device includes a latch for detachably coupling the two housings and rotating one housing with respect to the other (see Abstract). The housings are only capable of rotating about a single axis that is perpendicular to the top or bottom surfaces of the communication device (see FIGs. 12 and 13). The communication device switches between the different modes based on the attachment or detachment and the relative position of the housings (see Abstract).

The latch includes a turret (402) that extends from one of the housings (108) and a sleeve (502) that is carried on the other housing (110) (see col. 7, lines 22-24). Upon aligning flanges (520) of the sleeve (502) with slots (600) and ball plungers (506) of the turret (402), the housing (110) is pressed against the housing (108). In addition, the flanges (520) impart a horizontal force on the ball plungers (506), which causes them to retract into the turret (402). Once the flanges (520) clear the ball plungers (506), the ball plungers (506) expand outward from the turret (402) and engage a wall (518) of the sleeve (502).

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Claims 1 and 21 have been amended to clarify that the display has a display support that includes at least one support member rigidly attached to the display and at least one pivot member rigidly attached to the support member and pivotally attached to the platform. Applicants contend that such a feature is not shown by Harris.

In particular, the turret (402) in Harris, which the Examiner equates with the pivot member of the present invention, is *rigidly* attached to the housing (108), which the Examiner has compared with the platform of the present invention. Also, the turret (402) is *pivotally* attached to the sleeve (502), which the Examiner equates with the support member of the present invention. In fact, the basic structure of the latch in Harris is intended to allow the sleeve (502) to freely rotate about the turret (402), and to do so, both the sleeve (502) and the turret (402) must be rigidly attached to their respective housings. This structure is in direct contrast with the system recited in claims 1 and 21. Applicants respectfully submit that the strained interpretation presented by the Examiner would inhibit the operation of the latch in Harris.

Additionally, claim 22 has been amended to clarify that the display has a first axis that is substantially perpendicular to a top surface of the display and a second axis that is substantially parallel to the top surface of the display and that the device includes means for permitting the display to rotate about the first axis or to rotate about the second axis in response to a tactile force. As noted above, the housings shown in Harris are limited to rotation around a single axis, one that is perpendicular to the top or bottom surfaces of the housings. Support for this amendment can be found in paragraph 0019 and in FIG. 1. No new matter has been added in view of this amendment.

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In view of the above, Applicants submit that independent claims 1, 21 and 22 are patentable over the prior art. Applicants also believe that those claims that depend from these independent claims are patentable, both based on their dependencies on the independent claims and their patentability on their own. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

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